

# **EXHIBIT B**



**FALMOUTH FIRE RESCUE DEPARTMENT**

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DEPUTY CHIEF  
GLEN A. ROGERS  
DEPUTY CHIEF

To: Chief Brodeur  
Fr: Dep. Rogers  
Date: 1/24/03  
Re: 148 Gansett Rd Fire  
Cc Deputy Sullivan

The owner of record for 148 Gansett Rd. is Phyllis MacNeil. The MacNeil residence incurred a total loss with an approximate dollar loss of 900,000 (town assessment) for the building and 100,000 plus for contents. The dwelling is rigged for year around living however was unoccupied at the time since it is used primarily in the summer months. Intercity Alarms states that the house was protected by burglar, smoke/fire detection and temperature alarms. Construction was wood frame with brick veneer and slate shingle on the roof. The original structure was built in 1955 with at least 2 later additions. Weather conditions were 9 degrees F with a wind off the bay of approx. 20-30 mph. The house was located at the end of an approx. 500' narrow winding driveway on a bluff about 40' above Gansett Rd. The view of the structure was shielded from view from the street by large amounts of shrubs and trees.

The fire was reported to the FFRD at 2359 hours from a John Vose (09/22/48) of 188 Gansett Rd on 01/21/03. Mr. Vose is a caretaker for this and other properties in the area. He received a "low temperature" alarm from Intercity Alarms (508-394-8900) at 2349 hrs. He walked to the premises to investigate. Upon his arrival he saw the kitchen, in particular the cabinets, fully involved in fire. The windows and structures roof were intact at this time. Upon attempting entry via the front door he was confronted with heavy smoke and was unable to enter. At this point he returned to his home and called the FFRD.

The first arriving FFRD unit was T-28 at 0007 hrs. reporting the front of the first floor heavily involved and fire rapidly extending through the roof and out the windows. E-22 and L-26 arrived at 0008 hrs. E-21 arrived at 0011 hrs. Approx. 1000' supply was laid to the building. Initial lines were 1 3/4" to the front and rear of the building. 2 1/2" line was put in place shortly after due to the volume of fire. Shortly after flowing the first lines the pumpers reported low pressure and attack linse were not flowing adequate water. After evaluating the situation, the flow seemed to be about 300 gpm at near vacuum.

Fire progressed to the attic of the structure within the first few minutes of our efforts and spread laterally throughout the upper levels and also into the lower levels. The high winds also whipped the fire into unaffected areas very quickly. A defensive strategy was effected within the first ½ hour due to volume of fire, collapse hazards and falling slate shingles.

The fire was declared under control at 0330 hrs. Overhaul and fire investigation continued until 1213 hrs on the following day. Carl Cavossa Excavation Company was called to the scene at 0600 hours for overhaul and wall knockdown. Sgt. Ed Dunne from FPD and Trooper Frank McGinn from the Fire Marshal's Office were called to the scene for fire investigation.

Upon interviewing Mr. Vose, it was determined that he was the last person in the building having left at approx. 1700 hrs. During the day he and 3 other workers were refinishing the kitchen cabinets with "ZAR" water based urethane. Lighting sanding was done via a small palm sander. The cabinets were partially disassembled during the process. At 1700 he left the building, smelled nor saw anything unusual and set the alarm and locked the front door.

During the course of the interview Mr. Vose described the events of the work day. At one point he pulled out a "dutch oven" unit and looked at the wiring in the rear of it. He place the oven unit back without incident. He also stated that he pulled a fuse in the basement to the oven unit and placed it back in with no incident. He did these actions with the intent of replacing the unit in the future. We checked the wiring and fuses to this unit and this revealed no shorting or unusual burn patterns. This was ruled out as a cause.

The next event Mr. Vose related was removing the drawers from the cabinet. He had placed one on a stovetop oven unit at approx. 1400 hrs. This units was recovered intact from the debris and examined. Upon examination of the debris, the team noticed the remains of charred cloth over the center griddle portion of the stovetop (thermador brand). Between the cloth and the griddle were bits of charred thin wood. These pieces of woods, although covered with cloth and hence protected from the larger fire, were charred on both sides. The stovetop unit itself showed signs of warping and discoloration on the top portions of the unit but the interior wiring was still intact upon examination. The underside of the unit was also relatively clean. The control knobs were melted however the metal spindles remained. 3 control spindles were in the horizontal position and one was clearly turned more towards vertical. One other spindle was unable to be clearly determined.

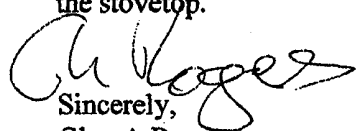
Final determination based upon the evidence and conversations reveals that the stovetop unit must have been accidentally activated on a low heat when the loaded drawer was placed on it. The unit ignited the bottom of the drawer initially and then the entire drawer ignited spreading the heat and fire to the cabinets above and aside which were freshly urethaned.

This is consistent with the time frame of 6-7 hours for the fire outbreak. This also coincides with the fire location upon his arrival which "involved all the cabinets" and with the conversations with the workers. Also consistent with this finding is a heavy burn in the wall and floor area adjacent to and behind the stove unit. A wide "v" pattern of burned plaster and wire lath was revealed behind the unit as well.

This information was shared with the owners family on scene, Mr. Vose and with Chubb Insurance Investigators.

Extensive photographs were made by the Fire Marshals Office as well as the FFRD.

In conclusion, the cause was determined to be accidental ignition of the drawers on the stovetop.

A handwritten signature in black ink, appearing to read "Glen A. Rogers". The signature is fluid and cursive, with the first name "Glen" being more prominent.

Sincerely,  
Glen A Rogers  
Deputy Fire Chief